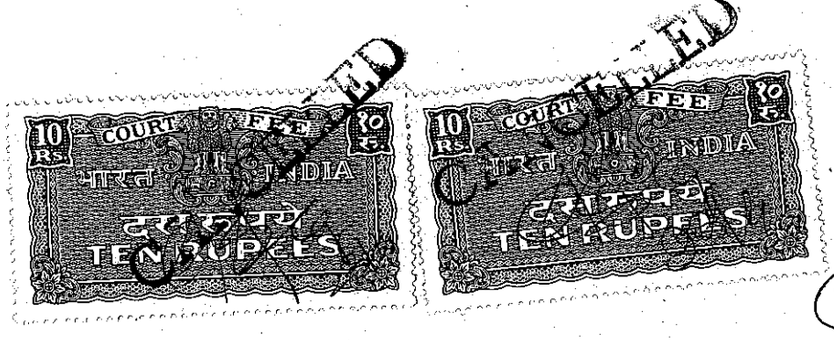

IN THE HONOURABLE CHHATTISGARH HIGH COURT OF JUDICATURE AT BILASPUR

WRIT PETITION No. 739 / 2001.

Petitioner : Satish Kumar Thakur S/o Shri S. D. Thakur, aged about 33 years, R/o Maharana Pratap Nagar, Korba, Dist: Korba, Chhattisgarh.

Versus

Respondent :

1. Coal India Limited, Through it's Chairman, Coal Bhawan, Netaji Subhash Marg, Kolkata, West Bengal, 700 001.

2. South Eastern Coalfields Limited, Through it's Chairman-cum-Managing Director, SECL HQ Seepat Road, Bilaspur, Chhattisgarh.

Writ Petition under article 227 of the constitution of India.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(23)

आदेश पत्रक

मामला क्रमांक W.P. 739/01 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

11.12.2003

Shri Mirza Kaser Beg, counsel for the petitioner.

Shri P.S. Koshy, counsel for the respondents.

With consent of both the parties, it is heard finally.

The case of the petitioner is that the petitioner was working as Jr. Mining Engineer in the respondent company. The petitioner was earlier appointed as Junior Engineer Trainee on 19.09.1990 in Rajgamar Colliery of SECL. The training period the petitioner was closed and he was designated as Junior Engineer Mining by the approval of the competent authority vide order dated 13.03.1992. Because of difficult mining conditions the petitioner being non-habituated to such working at many occassions felt sick and couldn't remain on duty. All the time he did inform about his illness and sent leave applications to his superiors. The petitioner was neither ever alleged of causing any loss or damage to the property or reputation of the company nor for insubordination and his name was removed from the rolls of the company and he was removed from employment by the respondents without giving an opportunity. It is submitted that he has preferred an appeal in the year 1995 before respondent No.2. As the same

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XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

24

आदेश पत्रक

मामला क्रमांक W.P 739/01 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

has not been decided by respondent No.2, the petitioner has approached this Court for relief.

Counsel for the respondents submits that the copy of the appeal has not been annexed.

Having considered the facts and circumstances of the case and material on record, in the opinion of this Court, ends of justice would be served if a direction is given to the respondent No.2 to consider and decide the appeal, if already not decided, as early as possible preferably within 3 months from the date of production of the certified copy of this order.

With the aforesaid observations, this writ petition stands disposed of.

Consequently M.W.P.No.719/2002 and I.A.No.10133 /2003 for urgent hearing also stand disposed of.

Certified copy as per rules.

Sd/-
Fakhruddin
Judge

Rajak

[पीछे देखिये